



Federal Communications Commission  
Washington, D.C. 20554

May 20, 2010

**DA 10-905**

Nadja S. Sodos-Wallace  
Senior Regulatory Counsel, Assistant Secretary  
Clearwire Corporation  
815 Connecticut Avenue, N.W., Suite 610  
Washington, D.C. 20006

RE: WT Docket No. 06-136  
Request for Extension of Time

Fixed Wireless Holdings, LLC  
Transition of the 2500-2690 MHz Band  
Transition Area: BTA Number 477: Willmar-Marshall, MN

Dear Ms. Sodos-Wallace:

On September 10, 2009,<sup>1</sup> Fixed Wireless Holdings, LLC, a wholly-owned subsidiary of Clearwire Corporation (together "Clearwire"), filed a Request for Extension of Time to complete the transition for the Willmar-Marshall, Minnesota Basic Trading Area (BTA) Number 477. For the reasons discussed below, we grant Clearwire's request and extend the deadline for completing the transition in the Willmar-Marshall, Minnesota BTA Number 477 to November 22, 2010. In addition, in order to assist parties in the resolution of issues relating to the transition of this BTA, we provide guidance concerning such issues.

Clearwire filed its Transition Initiation Plan for the Willmar-Marshall BTA on November 15, 2007.<sup>2</sup> According to the Commission's Rules, Clearwire was required to complete the transition by August 14, 2009.<sup>3</sup> Clearwire blames the "intransigence" of Info Link Wireless, Inc. ("Info Link") for failing to complete the transition.<sup>4</sup> Info Link leases spectrum from West Central Minnesota Television Corp. ("West Central"), licensee of Educational Broadband Service (EBS) Station WHR678.

We find that Clearwire has shown good cause for an extension. It appears that there has been a disagreement or miscommunication between Clearwire and Info Link that has prevented the parties from completing the transition in the Willmar-Marshall BTA. We find that allowing additional time for the parties to work out their differences and completing the transition would be in the public interest. We find no party would be prejudiced by a grant of this extension, particularly since licensees can continue operating pursuant to the old band plan until the transition is completed. We note that copies of the requests were served on the affected licensees, and no oppositions were filed. Thus, we grant Clearwire an extension of time to transition the Willmar-Marshall, Minnesota BTA until November 22, 2010.

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<sup>1</sup> Letter from Nadja S. Sodos-Wallace, Clearwire Corporation, to Office of the Secretary, Federal Communications Commission, WT Docket No. 06-136 (filed Sep. 10, 2009) (Clearwire Letter).

<sup>2</sup> See Initiation Plans Filed in WT Docket No. 06-136, *Public Notice*, 22 FCC Rcd 20524, 20526 (WTB BD 2007).

<sup>3</sup> See 47 C.F.R. §§ 27.1232(a) and (b)(1)(vi).

<sup>4</sup> Clearwire Letter at 1.

Nadja S. Sodos-Wallace

Neither Info Link nor West Central has responded to the Clearwire Letter. We reach no conclusions in this letter as to whether any entity has violated the Commission's Rules. In order to facilitate the transition of the Willmar-Marshall, Minnesota BTA, however, we believe it would be useful to note certain rules relating to the transition. First, we note that West Central, as the licensee of Station WHR678, was required to respond to Clearwire's pre-transition data request and provide information regarding Info Link's operations.<sup>5</sup> Second, if a licensee does not respond to a pre-transition data request, it may not object to the proponent's transition plan.<sup>6</sup> Third, entities that lease EBS spectrum for a commercial purpose must pay their own transition costs.<sup>7</sup>

Accordingly, IT IS ORDERED, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Sections 1.46 and 27.1232(b)(1)(vi) of the Commission's Rules, 47 C.F.R. §§ 1.46, 27.1232(b)(1)(vi) that the Request for Extension of Time filed by Fixed Wireless Holdings, LLC on September 10, 2009 IS GRANTED, and the time for completing the transition in the Willmar-Marshall, Minnesota BTA (BTA 477) IS EXTENDED TO November 22, 2010.

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

Sincerely yours,

John J. Schauble  
Deputy Chief, Broadband Division  
Wireless Telecommunications Bureau

cc: West Central Minnesota Educational TV Corp.  
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Appleton, MN 56208  
ATTN: Mr. John Panzer, Manager

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Mr. Andy Lopez  
President, Info Link Wireless, Inc.  
514 Atlantic Avenue  
Morris, MN 56267

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<sup>5</sup> See 47 C.F.R. § 27.1231(d)(1).

<sup>6</sup> See 47 C.F.R. § 27.1231(d)(2).

<sup>7</sup> See 47 C.F.R. § 27.1237(b).